Part 2
Registration for Bioprospecting

65A-14-201 Registration for bioprospecting.
(1)
  (a) On and after July 1, 2011, before engaging in an act of bioprospecting, a person shall register with the division.
  (b) A registration under this chapter expires on June 30 of each year.
(2) To register with the division or renew a registration, a person shall:
  (a) submit a registration form created by the division in accordance with Subsection (3); and
  (b) pay a fee established by the division in accordance with Section 63J-1-504.
(3) The division shall create, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, a registration form for purposes of this chapter that includes:
  (a) notice of the state's reservation of economic interests provided in Section 65A-14-202;
  (b) a statement to be signed by a person who registers that states that the person agrees to negotiate as described in Section 65A-14-202; and
  (c) a requirement that the person lists the locations at which the person anticipates bioprospecting during the 12-month period of the registration.

Enacted by Chapter 21, 2010 General Session

65A-14-202 Reservation of economic interests -- Agreement to negotiate in good faith.
(1) The right of a person to engage in an act of bioprospecting in this state is subject to the state's reservation of any right the state may have to an economic benefit derived from:
  (a) the act of bioprospecting;
  (b) a microorganism, plant, or fungus removed from a natural environment in the state; or
  (c) information concerning a microorganism's, plant's, or fungus' physical or genetic properties removed from a natural environment in the state.
(2) A person may not engage in an act of bioprospecting in this state if the person, as part of the registration required under Section 65A-14-201, does not agree in writing to negotiate in good faith with the state if the state asserts an economic interest described in Subsection (1).

Enacted by Chapter 21, 2010 General Session